

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator
L. Carol Edmonds, Deputy County Administrator

DATE: March 10, 2014

SUBJECT: AGENDA REPORT

I. CALL TO ORDER

II. INTO CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel

1. Elliott Creek Road Abandonment Request

(1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. AFD Advisory Committee
2. Community Services Board
3. Economic Development Authority
4. Planning Commission
5. Personnel

III. OUT OF CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

IV. CERTIFICATION OF CLOSED MEETING

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. DELEGATIONS

A. Virginia Department of Transportation

David Clarke, VDOT, will provide an update on road projects/issues in Montgomery County.

VIII. PUBLIC ADDRESS

IX. CONSENT AGENDA

X. INTO WORK SESSION

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Former Prices Fork Elementary School Proposed Rezoning. TAB **B**.
2. Request to Abandon Elliott Creek Road (SR 675) TAB **C**.

XI. OUT OF WORK SESSION

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

XII. ADDENDUM

XIII. NEW BUSINESS

**A. SUBJECT: REFERENCE TO PLANNING COMMISSION
REQUEST TO AMEND THE ZONING
ORDINANCE FOR THE MANUFACTURING
LIGHT (M-L) DISTRICT**

**R-FY-14-
REFERENCE TO PLANNING COMMISSION
REQUEST TO AMEND THE COUNTY'S
ZONING ORDINANCE FOR THE MANUFACTURING LIGHT(M-L) DISTRICT**

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby refers to the Planning Commission a request to amend the Montgomery County Zoning Ordinance to allow "Contractor's Service Establishment" as a use allowed by-right in the Manufacturing Light (M-L) District and report back to the Board of Supervisors with its findings and proposed recommendations.

ISSUE/PURPOSE: Refer to the Planning Commission a request to amend the County's Zoning Ordinance.

JUSTIFICATION:

The County received a request from Doug Hardymon, President of Twin Creek Estates, requesting the County to consider an amendment to the Manufacturing Light (M-L) Zoning District by allowing Contractor's Service Establishments as a use allowed by-right. The Zoning Ordinance currently allows this by-right in Manufacturing (M-1) District and by Special Use Permit in the General Business District but not in the Manufacturing Light (M-L) District. See TAB **D** .

B. SUBJECT:

**FY 2009 REVENUE SHARING PROJECT
ALLEGHANY SPRINGS ROAD (SR 637)
BRIDGE REPLACEMENT – TRANSFER
FUNDS TO FY 2014 REVENUE SHARING
PROJECT BLUE SPRINGS ROAD (SR 613)**

**R-FY-14-
FY 2009 REVENUE SHARING PROJECT
ALLEGHANY SPRINGS ROAD (SR 637)
BRIDGE REPLACEMENT – TRANSFER FUNDS TO
FY 2014 REVENUE SHARING PROJECT
BLUE SPRINGS ROAD (613)**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby requests the Virginia Department of Transportation to transfer \$32,342 from FY 2009 Revenue Sharing funds for the Alleghany Springs Road (SR 637) bridge replacement project UPC 91586 to the FY 2014 Revenue Sharing project for Blue Springs Road (SR 613) UPC 104244 for the purpose of completing the project.

ISSUE/PURPOSE:

Request VDoT to transfer remaining balance from the Alleghany Springs (SR637) bridge replacement project to the Blue Springs Road (SR 613) project.

JUSTIFICATION:

VDoT has completed the FY 2009 Revenue Sharing Alleghany Springs bridge replacement project, and ready to close it out with a remaining balance of \$32,342 (\$16,171 state match and \$16,171 local match). They have asked that these funds be transferred to Blue Springs Road, which is an FY 2014 Revenue Sharing project. In order to do this, they need a request from the BoS. See TAB **E** for a copy of the e-mail from VDoT requesting the transfer of funds.

**C. SUBJECT: FY 2010 REVENUE SHARING PROJECT
WILLIS HOLLOW ROAD (SR 609) –
TRANSFER FUNDS TO FY 2014 REVENUE
SHARING PROJECT BRUSH CREEK ROAD
(SR 617)**

**R-FY-14-
FY 2010 REVENUE SHARING PROJECT
WILLIS HOLLOW ROAD (SR 609)
TRANSFER FUNDS TO FY 2014 REVENUE SHARING PROJECT
BRUSH CREEK ROAD (SR 614)**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby requests the Virginia Department of Transportation to transfer \$138,570 from FY 2010 Revenue Sharing funds for Willis Hollow Road (SR 609) project UPC 94738 to the FY 2014 Revenue Sharing Project for Brush Creek Road (SR 617) UPC 104246 for the purpose of completing the project.

ISSUE/PURPOSE: Request VDoT to transfer remaining balance from the Willis Hollow Road (SR 609) project to the Brush Creek Road (SR 617) project.

JUSTIFICATION: VDoT has completed the FY 2010 Revenue Sharing Willis Hollow Road project and are ready to close it out with a remaining balance of \$138,570 (\$69,285 state match and \$69,285 local match). They have asked that these funds be transferred to Brush Creek Road, which is an FY 2014 Revenue Sharing project. In order to do this, they need a request from the BoS. See TAB **F** for a copy of the e-mail from VDoT requesting the transfer of funds.

**D. SUBJECT: PROCLAMATION TAKE BACK THE NIGHT
RALLY AND MARCH**

**R-FY-14-
PROCLAMATION
TAKE BACK THE NIGHT
RALLY AND MARCH**

WHEREAS, The first *Take Back the Night* event was held in Germany in 1973 in response to a series of sexual assaults, rapes, and murders; and

WHEREAS, Five years later in the United States, a ***Take Back the Night*** march was held in San Francisco where over 5,000 women from 30 states participated; and

WHEREAS, Since then, marches have been held throughout the U.S., Canada, Latin America, India, and Europe; and

WHEREAS, ***Take Back the Night*** marches have been held in Richmond and Charlottesville, and at Hollins University, Radford University, Roanoke College, and Virginia Tech; and

WHEREAS, Marchers have called attention to violence against women—sexual harassment, misogyny, rape, and murder; this violence affects both individuals in the community and the community as a whole; and

WHEREAS, The 25th annual ***Take Back the Night*** Rally and March will be held Thursday, March 27, 2014 beginning at 7:00 p.m. on the Drillfield in front of the chapel at Virginia Tech to bring our community together to protest violence against women and to promote awareness of attitudes, beliefs, and behaviors which perpetuate this violence.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia supports the 25th annual ***Take Back the Night*** event which is part of Women's Month 2014.

ISSUE/PURPOSE: Proclamation in support for the 25th Annual Take Back the Night event.

XIV. COUNTY ATTORNEY'S REPORT

XV. COUNTY ADMINISTRATOR'S REPORT

XVI. BOARD MEMBERS' REPORT

1. Supervisor Gabriele
2. Supervisor King
3. Supervisor Creed
4. Supervisor Perkins

5. Supervisor Biggs
6. Supervisor Tuck
7. Supervisor Brown

XVII. OTHER BUSINESS

XVIII. ADJOURNMENT

FUTURE MEETINGS

Special Meeting
FY 15 Budget Work Session
Monday, March 17, 2014
7:00 p.m.

Adjourned Meeting
Monday, March 24, 2014
6:30 p.m. – Closed Meeting Items
7:15 Regular Agenda

Community Conservations Meeting
Christiansburg High School – Commons
Tuesday, March 25, 2014
7:00 p.m.

Special Meeting
Public Hearing on the Advertised Tax Rate and
Advertised FY 15 Budget
Thursday, April 3, 2014
7:00 p.m.

Community Conservations Meeting
Margaret Beeks Elementary School – Annex
Tuesday, April 8, 2014
7:00 p.m.

Regular Meeting
Monday, April 14, 2014
6:30 p.m. – Closed Meeting Items
7:15 Regular Agenda